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U.S. PATENT AND TRADEMARK OFFICE

<b>Application No.:</b> 10/804,201	<b>Confirmation No.</b> 6509
<b>Application of:</b> NAIK, et al.	<b>Group Art Unit:</b> 1624
<b>Filing Date:</b> March 19, 2004	<b>Examiner:</b> Not yet assigned
<b>Title:</b> Chrysogenazine Obtained from Fungus Penicillium Chrysogenum Having Antibacterial Activity	<b>Docket No.</b> C261 1080.1 <b>Customer No.</b> 26158

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

**BOX MAIL STOP MISSING PARTS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir or Madam:

In response to the notice to File Missing Parts of Application mailed June 1, 2004, attached are the following:

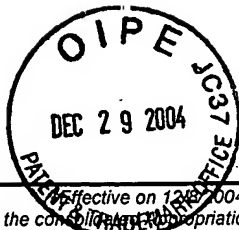
1. Fee Transmittal Form.
2. Petition for Extension of Time under 37 CFR 1.136(a)
3. Copy of Notice to File Missing Parts of Nonprovisional Application (Attachment A)
4. Executed Declaration (Attachment B)
5. Copy of Original Specification marked up (Attachment C)
6. Substitute Specification (Attachment D)
7. Replacement Drawings 1-6 (Attachment E).

Respectfully Submitted,

*Nanda K. Alapati*

Date: December 29, 2004

Nanda K. Alapati (Reg. No. 39,893)  
Womble, Carlyle, Sandridge & Rice  
P.O. Box 7037  
Atlanta, GA 30357-0037  
703-394-2270



WCSR Form(12-04)

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818)  
Effective on 12/29/2004.

# FEE TRANSMITTAL for FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)3290.00

## Complete if Known

Application Number 10/804,201  
Filing Date March 19, 2004  
First Named Inventor NAIK, et al.  
Examiner Name  
Group Art Unit 1624  
New Attorney Docket No. C261 1080.1

## METHOD OF PAYMENT (check all that apply)

☒ Deposit Account Deposit Account Number **09-0528** Deposit Account Name **Womble Carlyle Sandridge & Rice**

The Commissioner is hereby authorized to: (check all that apply)

P.O. Box 7037  
Atlanta, GA 30357-0037

☒ Charge fee(s) indicated below  
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17  
☐ Charge fee(s) indicated below, except for the filing fee  
☒ Credit any overpayments

## FEE CALCULATION

4. OTHER FEE(S)					Fee Description	
Fee Code	Fee(\$)	Fee Code	Fee(\$)	Small Entity		
1051	130	2051	65		Surcharge - late filing fee or oath	130.00
1812	2,520	1812	2,520		For filing a request for ex parte reexamination	
1804	920*	1804	920*		Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*		Requesting Publication Of Sir After Examiner Action	
1251	120	2251	60		Extension for reply within first month	
1252	450	2252	225		Extension for reply within second month	
1253	1,020	2253	510		Extension for reply within third month	
1254	1,590	2254	795		Extension for reply within fourth month	
1255	2160	2255	1080		Extension for reply within fifth month	2160.00
1401	500	2401	250		Notice of Appeal	
1402	500	2402	250		Filing a brief in support of an appeal	
1403	1,000	2403	500		Request for oral hearing	
1451	1,510	1451	1,510		Petition to institute a public use proceeding	
1452	500	2452	250		Petition to revive - unavoidable	
1453	1,500	2453	750		Petition to revive - unintentional	
1460	130	1460	130		Petitions to the Commissioner	
1807	50	1807	50		Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180		Submission of Information Disclosure Stmt	
1809	790	2809	395		Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810	395		For each additional invention to be examined (37CFR 1.129(b))	
1801	790	2801	395		Request for Continued Examination (RCE)	
1802	900	1802	900		Request for expedited examination of a design application	
Other fee (specify) Basic Filing Fee (Filing, Search & Examination Fee)						1000.00
*Reduced by Basic Filing Fee Paid					Total:	(\$) <b>3290.00</b>

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type) Nanda K. Alapati Registration No. (Attorney/Agent) 39,893 Telephone 703-394-2216  
Signature *Nanda K. Alapati* Date December 29, 2004



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/804,201	03/19/2004	Chandrakant Govind Naik	C261 1080.1

CONFIRMATION NO. 6509

26158  
WOMBLE CARLYLE SANDRIDGE & RICE, PLLC  
P.O. BOX 7037  
ATLANTA, GA 30357-0037

## FORMALITIES LETTER



\*OC000000012824164\*

Date Mailed: 06/01/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

12/30/2004 YPOLITE1 00000108 090528 10804201

FILED UNDER 37 CFR 1.53(b)

01 FC:1001 790.00 DA  
02 FC:1051 130.00 DA

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52, 1.121(b)(3), and 1.125, is required. The specification, claims, or abstract page(s) submitted is not acceptable and cannot be scanned or properly stored because:
  - The specification contains drawings or flow diagrams (37 CFR 1.58(a)) on page(s) 1,3,12. Drawings or flow diagrams cannot be embedded in the specification and should be submitted separately in accordance with 37 CFR 1.84. (Both a substitute specification and substitute drawings are required).
- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:

- The drawings have a line quality that is too light to be reproduced (weight of all lines and letters must be heavy enough to permit adequate reproduction) or text that is illegible (reference characters, sheet numbers, and view numbers must be plain and legible) see 37 CFR 1.84(l) and (p)(1)); See Figure(s) 4,5.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$900** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

*B. To*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE